

MAY. 5. 2005 4:26PM

DUPONT - LEGAL

RECEIVED
CENTRAL FAX CENTER

NO. 3556 P. 1

MAY 05 2005

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

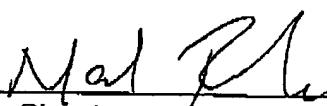
Certificate of Transmission under 37 CFR 1.8

USPTO Fax No.: (703) 872-9306

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on May 5 2005

Date



Signature

S. NEIL FELTHAM

Typed or printed name of person signing Certificate

36,506

302-992-6460

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

10/808979

CL2360USNA

Page 1 of 5

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

MAY. 5. 2005 4:27PM

DUPONT - LEGAL

Rev. 10/93

RECEIVED
CENTRAL FAX CENTER

NO. 3556 P. 2

MAY 05 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

QIONG CHENG ET. AL.

CASE NO.: CL2360USNA

SERIAL NO.: 10/808979

GROUP ART UNIT: 1638

FILED: MARCH 25, 2004

EXAMINER: KOROMA, B

FOR: GENES ENCODING CAROTENOID COMPOUNDS

RESPONSE TO A NOTICE TO CORRECT SEQUENCE LISTING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS

This is submitted in response to the Office Action mailed 01/31/2005. The notice is attached here for reference. The Notice indicates that SEQ ID NO. 178 is not part of the sequence listing and further that exhibit I, attached to the election of November 2004, is unclear as to which sequence corresponds to either SEQ ID NO 172 or SEQ ID NO 178.

Applicants are of the opinion that an error may have occurred in matching papers at the Office. The present application contains only 20 sequences. Thus, there is no SEQ ID NO.178 or 172. A search of the application has been made for a reference to sequence 178 and/or 172 and none has been found. Additionally, no exhibit was attached to the election of November of 2004, and none was referenced in the text of the election. Clarification is requested.

Although this response is filed outside the one month shortened statutory period for response, as the subject matter of the Notice appears to be as the result of an error on the part of the Office, applicants submit that no petition for extension of time is necessary. If however the Office deems an extension is needed and thus should there be any fee due in connection with the filing of this Response please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

MAY. 5. 2005 4:27PM DUPONT - LEGAL

NO. 3556 P. 3

Application No.: 10/808979
Docket No.: CL2360USNA

Page 2

Respectfully submitted,


S. NEIL FELTHAM
ATTORNEY FOR APPLICANTS
Registration No.: 36,506
Telephone: (302) 992-6460
Facsimile: (302) 992-5374

Dated: May 5, 2005